



**Board of Commissioners of Cook County
Minutes of the Zoning and Building Committee**

Wednesday, July 25, 2018

10:00 AM

**Cook County Building, Board Room,
118 North Clark Street, Chicago, Illinois**

ATTENDANCE

Present: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

PUBLIC TESTIMONY

1. Bona Heinsohn, Cook County Farm Bureau
2. George Blakemore

[18-5002](#)

COMMITTEE MINUTES

Approval of the minutes from the meeting of 6/27/2018

A motion was made by Vice Chairman Sims, seconded by Commissioner Daley, to approve 18-5002. The motion carried by the following vote:

Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

[18-4697](#)

Presented by: JAMES WILSON, Secretary, Zoning Board of Appeals

RECOMMENDATION OF THE ZONING BOARD OF APPEALS

Request: Special Use SU 18-02

Township: Elk Grove

County District: 15

Property Address: 984 Martha Street, Elk Grove Village, Illinois 60193

Property Description: The subject property is approximately .89 acre located on the northwest corner of Martha Street and Lincoln Street, in Section 31.

Owner: Kantibhai Patel, 1217 S. Roselle Road, Schaumburg, Illinois 60193

Agent/Attorney: Agnieszka T. Plecka Esq., Law Offices of Mark J. Kupiac and Associates. 77 W. Washington Street, Suite #1801, Chicago, Illinois 60602

Current Zoning: R-4 Single Family Residence District

Intended use: Special Use for Unique Use to allow for the operation of multi-family dwelling.

Recommendation: ZBA Recommendation is that the application be Received and Filed

Conditions: N/A

Objectors: N/A

History:

Zoning Board Hearing: N/A

Zoning Board Recommendation date: N/A

County Board extension granted: N/A

A motion was made by Commissioner Schneider, seconded by Commissioner Goslin, to recommend for receiving and filing 18-4697. The motion carried by the following vote:

Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

[18-1356](#)

Sponsored by: TONI PRECKWINKLE (President) and PETER N. SILVESTRI, Cook County Board Of Commissioners

PROPOSED ORDINANCE AMENDMENT

ZONING ORDINANCE TEXT AMENDMENT

BE IT ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 4 Residential Districts, Sections 4.1., 4.2, 4.3, 4.4, 4.5, 4.5A, 4.6, 4.7 and 4.8 of the Cook County Code

shall be amended as follows:

4.1. - R-1 SINGLE-FAMILY RESIDENCE DISTRICT.

4.1.5. TEMPORARY USES.

4.1.6. ACCESSORY USES.

4.1.8. SITE AND STRUCTURE PROVISIONS.

4.2. - R-2 SINGLE-FAMILY RESIDENCE DISTRICT.

4.2.5. TEMPORARY USES.

4.2.8. SITE AND STRUCTURE PROVISIONS.

4.3. - R-3 SINGLE-FAMILY RESIDENCE DISTRICT.

4.3.5. TEMPORARY USES.

4.3.8. SITE AND STRUCTURE PROVISIONS.

4.4. - R-4 SINGLE-FAMILY RESIDENCE DISTRICTS.

4.4.5. TEMPORARY USES.

4.4.8. SITE AND STRUCTURE PROVISIONS.

4.5. - R-5 SINGLE-FAMILY RESIDENCE DISTRICT.

4.5.5. TEMPORARY USES.

4.5.8. SITE AND STRUCTURE PROVISIONS.

4.5A. - R-5A RESIDENTIAL TRANSITION DISTRICT.

4.5A.5. TEMPORARY USES.

4.5A.6. ACCESSORY USES.

4.5A.8. SITE AND STRUCTURE PROVISIONS.

4.6. - R-6 GENERAL RESIDENCE DISTRICT.

4.6.5. TEMPORARY USES.

4.6.6. ACCESSORY USES.

4.8.6 SITE AND STRUCTURE PROVISIONS.

4.7. - R-7 GENERAL RESIDENCE DISTRICT.

4.7.5. TEMPORARY USES.

4.7.6. ACCESSORY USES.

4.8. - R-8 GENERAL RESIDENCE DISTRICT.

4.8.5. TEMPORARY USES.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 5, Commercial Districts, Sections 5.1, 5.3, 5.4, 5.5, 5.6, 5.7 and 5.8 of the Cook County Code shall be amended as follows:

5.1. - C-1 RESTRICTED BUSINESS DISTRICT.

5.1.5 TEMPORARY USES.

5.3. - C-3 GENERAL SERVICE DISTRICT.

5.3.4. SPECIAL USES.

5.4. - C-4 GENERAL COMMERCIAL DISTRICT.

5.4.4. SPECIAL USES.

5.5. - C-5 COMMERCIAL TRANSITION DISTRICT.

5.5.5. TEMPORARY USES.

5.6. - C-6 AUTOMOTIVE SERVICE DISTRICT.

5.6.5. TEMPORARY USES.

5.7. - C-7 OFFICE/RESEARCH PARK DISTRICT.

5.7.5. TEMPORARY USES.

5.8. - C-8 INTENSIVE COMMERCIAL DISTRICT.

5.8.5. TEMPORARY USES.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 6 Industrial Districts, Sections 6.1 and 6.2 of the Cook County Code shall be amended as follows:

6.1. - I-1 RESTRICTED INDUSTRIAL DISTRICT.

6.1.4 SPECIAL USES.

6.1.5. TEMPORARY USES.

6.2. - I-2 GENERAL INDUSTRIAL DISTRICT.

6.2.4. SPECIAL USES.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 8, General Provisions, Section 8.6, 8.7 and 8.10 of the Cook County Code shall be amended as follows:

8.6. - STRUCTURE HEIGHT.

8.6.1. DISTRICT REGULATIONS.

8.6.3. BUILDING APPURTENANCES.

8.7. - REGULATIONS FOR SPECIFIC USES.

8.7.1. FENCES, WALLS, HEDGES AND SHRUBBERY.

8.7.2. MOBILE HOMES ~~OR TRAILER~~.

8.7.7. ~~PETS~~ ANIMALS.

8.7.8. PORTABLE STORAGE CONTAINERS.

8.7.9. MEDICAL CANNABIS DISPENSING ORGANIZATION.

8.7.10. MEDICAL CANNABIS CULTIVATION CENTERS.

8.10.-ENVIRONMENTALLY SENSITIVE AREAS

8.10.1. ENVIRONMENTALLY SENSITIVE

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 9, Planned Unit Development, Sections 9.3 of the Cook County Code shall be amended as follows:

9.3. - GENERAL REQUIREMENTS.

9.3.6 REQUIRED PUDS.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 12, Signs, Section 12.1 and 12.4 of the Cook County Code shall be amended as follows:

12.1. - SIGN PERMITS FOR ON-PREMISES SIGNS.

12.1.3. GENERAL REQUIREMENTS APPLICABLE TO SIGNS.

12.4. - DYNAMIC MESSAGE SIGNS.

12.4.1

LUMINANCE:

12.4.2

TRANSITION TIME:

12.4.3 MOTION:

12.4.4 CONTROL/TESTING.

12.4.5

CONVERSION:

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 13, Administration and Enforcement, Sections 13.2, 13.3, 13.5, 13.6, 13.7, 13.8, 13.10 and 13.13 of the Cook County Code shall be amended as follows:

**13.2. - DEPARTMENT OF BUILDING AND ZONING AND
THE ZONING ADMINISTRATOR.**

13.2.1. DUTIES OF THE DEPARTMENT OF BUILDING AND ZONING.

13.3 ZONING BOARD OF APPEALS.

13.3.2. JURISDICTION.

13.3.3 MEETINGS AND RULES.

13.3.4 DECISIONS. -RESERVED ~~The decisions and findings of the Zoning Board of Appeals, except as provided in 13.3.5, shall be final administrative decisions and shall be subject to review as provided by law.~~

13.3.6. SECRETARY OF THE ZONING BOARD OF APPEALS.

13.5. - CERTIFICATES OF OCCUPANCY.

13.5.2. PROCEDURE.

13.6. - VARIANCES.

13.6.1. PURPOSE.

13.6.2. APPLICATION, HEARING, AND NOTICE OF HEARING.

13.6.3. STANDARDS.

13.6.4. CONDITIONS AND RESTRICTIONS.

13.6.5: AUTHORIZED VARIANCES

~~13.6.6 RECOMMENDING VARIANCES~~ ACTION BY THE ZONING BOARD OF APPEALS.

13.6.7. ACTION BY THE COOK COUNTY BOARD OF COMMISSIONERS.

13.6.8. EFFECT OF DENIAL.

13.7. - MAP AMENDMENTS.

13.7.6. PROCESSING APPLICATIONS.

13.8. - SPECIAL USE.

13.8.6. PROCESSING APPLICATIONS

13.8.14 REVOCATION

13.10. PENALTIES**13.13. PROTESTS BY MUNICIPALITIES OR PROPERTY OWNERS.****13.13.1. RULES FOR WRITTEN PROTEST.**

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 14, Rules and Definitions, Section 14.2 of the Cook County Code shall be amended as follows:

14.2. - DEFINITIONS.**14.2.1.**

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Chapter 10 Animals, Article 1, Section 10-2 and Section 10-8 of the Cook County Code shall be amended as follows:

Sec. 10-2. - Definitions**Sec. 10-8. - Animal care.**

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Chapter 38 Health and Human Services, Article 3, Section 38-52 and Section 38-54 of the Cook County Code shall be amended as follows:

Sec. 38-52. Definitions**Sec. 38-54 -Declared nuisances.**

Effective date: This ordinance shall be in effect immediately upon adoption.

Full text of ordinance amendment: <https://tinyurl.com/y8sxgqba>

A motion was made by Commissioner Suffredin, seconded by Commissioner Butler, to suspend the rules to take up the supplemental agenda and consider 18-1356. The motion carried by the following vote:

Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

A motion was made by Commissioner Suffredin, seconded by Commissioner Schneider, to amend 18-1356. The motion carried by the following vote:

Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

A motion was made by Commissioner Suffredin, seconded by Commissioner Goslin, to recommend for approval as amended 18-1356. The motion carried by the following vote:

Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

**PROPOSED ORDINANCE AMENDMENT
COMMUNICATION NO. 18-1356**

Sponsored by
TONI PRECKWINKLE, President, and PETER N. SILVESTRI, County Commissioner

BE IT ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 4 Residential Districts, Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.5A, 4.6, 4.7 and 4.8 of the Cook County Code shall be amended as follows:

4.1. - R-1 SINGLE-FAMILY RESIDENCE DISTRICT

4.1.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. Temporary buildings or yards. ~~For construction materials and equipment, both incidental and necessary to construction in the zoning district.~~ Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices, ~~and model dwelling units. Both incidental and necessary for the sale or rental of real property in the development in which the office is located.~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be ~~valid~~ issued in six (6) month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner, and shall not be renewed for more than three successive periods.
- C. Real estate signs. Temporary real estate signs as regulated by Article 12.
- D. Temporary construction trailers. ~~For use during the construction of a residence, but not to be used as a dwelling and not to exceed one year.~~ Permits shall terminate upon completion of the permitted work.
- E. Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, ~~and. Garage sales shall only be permitted~~ between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.
- ~~F. [Other uses.] Other temporary uses as permitted by this ordinance.~~
- F. Portable storage containers. Portable storage containers as regulated by Article 8.

4.1.6. ACCESSORY USES. A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- Q. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes ~~and limited to not more than three traditional domestic animals.~~

- 4.1.8. SITE AND STRUCTURE PROVISIONS.** The uses in the R-1 Single-Family Residence District shall conform to the following requirements:

- K. The maximum impervious surface shall not exceed 20% of the gross lot area.

4.2. - R-2 SINGLE-FAMILY RESIDENCE DISTRICT

- 4.2.5. TEMPORARY USES.** A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- B. Temporary sales offices, ~~and model dwelling units.~~

- ~~E. Other temporary uses as permitted by this ordinance.~~

- E. Portable storage containers. Portable storage containers as regulated by Article 8.

- 4.2.8. SITE AND STRUCTURE PROVISIONS.** The uses in the R-2 Single-Family Residence District shall conform to the following requirements:

- J. The maximum impervious surface shall not exceed 20% of the gross lot area.

4.3. - R-3 SINGLE-FAMILY RESIDENCE DISTRICT

- 4.3.5. TEMPORARY USES.** A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, and model dwelling units.

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

4.3.8. SITE AND STRUCTURE PROVISIONS. The uses in the R-3 Single-Family Residence District shall conform to the following requirements:

J. The maximum impervious surface shall not exceed 25% of the gross lot area.

4.4. - R-4 SINGLE-FAMILY RESIDENCE DISTRICTS

4.4.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, and model dwelling units. Any use permitted in Section 4.3.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

4.4.8. SITE AND STRUCTURE PROVISIONS. The uses in the R-4 Single-Family Residence District shall conform to the following requirements:

J. The maximum impervious surface shall not exceed 35% of the gross lot area.

4.5. - R-5 SINGLE-FAMILY RESIDENCE DISTRICT

4.5.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, ~~and model dwelling units~~. Any use permitted in Section 4.4.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

4.5.8. SITE AND STRUCTURE PROVISIONS. The uses in the R-5 Single-Family Residence District shall conform to the following requirements:

J. The maximum impervious surface shall not exceed 50% of the gross lot area.

4.5A. - R-5A RESIDENTIAL TRANSITION DISTRICT

4.5A.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, ~~and model dwelling units~~. Any use permitted in Section 4.5.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

4.5A.6. ACCESSORY USES. A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

M. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three ~~traditional domestic animals~~ pets.

4.5A.8. SITE AND STRUCTURE PROVISIONS. The uses in the R-5A Single-Family Residence District shall conform to the following requirements:

I. The maximum impervious surface shall not exceed 50% of the gross lot area.

4.6. - R-6 GENERAL RESIDENCE DISTRICT

4.6.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, and model dwelling units. Any use permitted in [Section] 4.5.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

4.6.6. ACCESSORY USES. A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

P. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three ~~traditional domestic animals~~ pets.

4.6.8. SITE AND STRUCTURE PROVISIONS. The uses in the R-6 General Residence District shall conform to the following requirements:

~~J. Maximum height. Principal structures shall not exceed two stories nor 30 feet in height. Accessory structures shall not exceed one story nor 15 feet in height, except as provided in Article 8.~~

4.7. - R-7 GENERAL RESIDENCE DISTRICT

- 4.7.5. TEMPORARY USES.** A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, ~~and model dwelling units~~. Any use permitted in Section 4.6.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

- 4.7.6. ACCESSORY USES.** A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

O. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three ~~traditional domestic animals~~ pets.

4.8. - R-8 GENERAL RESIDENCE DISTRICT

- 4.8.5. TEMPORARY USES.** A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, ~~and model dwelling units~~. Any use permitted in Section 4.7.5(B).

~~E. Other temporary uses as permitted by this ordinance.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 5, Commercial Districts, Sections 5.1, 5.3, 5.4, 5.5, 5.6, 5.7 and 5.8 of the Cook County Code shall be amended as follows:

5.1. - C-1 RESTRICTED BUSINESS DISTRICT

5.1.5. TEMPORARY USES. ~~A t~~Temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. Temporary sales offices, and model dwelling units. ~~Both incidental and necessary for the sale or rental of real property in the development in which the office is located.~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be ~~valid~~ issued in six (6) month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner. ~~and shall not be renewed for more than three successive periods.~~

H. Portable storage containers. Portable storage containers as regulated by Article 8.

5.3. - C-3 GENERAL SERVICE DISTRICT

5.3.4. SPECIAL USES. A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-3 District:

E. Health, medical and care institutions.

2. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1, et seq.

5.4. - C-4 GENERAL COMMERCIAL DISTRICT

- 5.4.4. SPECIAL USES.** A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-4 District:

- E. Health, medical and care institutions.

2. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1, et seq.

5.5. - C-5 COMMERCIAL TRANSITION DISTRICT

- 5.5.5. TEMPORARY USES.** A tTemporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- B. Temporary sales offices. Any use permitted in Section 5.1.5(B).

- E. Portable storage containers. Portable storage containers as regulated by Article 8.

5.6. - C-6 AUTOMOTIVE SERVICE DISTRICT

- 5.6.5. TEMPORARY USES.** A tTemporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- F. Portable storage containers. Portable storage containers as regulated by Article 8.

5.7. - C-7 OFFICE/RESEARCH PARK DISTRICT

- 5.7.5. TEMPORARY USES.** A tTemporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- B. Temporary sales offices, and model dwelling units. Any use permitted in Section 5.1.5(B).

- D. Portable storage containers. Portable storage containers as regulated by Article 8.

5.8. - C-8 INTENSIVE COMMERCIAL DISTRICT

- 5.8.5. TEMPORARY USES.** A tTemporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- B. Temporary sales offices, and model dwelling units. Any use permitted in Section 5.1.5(B).

- H. Portable storage containers. Portable storage containers as regulated by Article 8.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 6 Industrial Districts, Sections 6.1 and 6.2 of the Cook County Code shall be amended as follows:

6.1. - I-1 RESTRICTED INDUSTRIAL DISTRICT

- 6.1.4. SPECIAL USES.** A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-1 District:

- A. Industrial.

8. Medical cannabis cultivation center, as regulated by 410 ILCS 130/1, et seq.

I. Miscellaneous.

5. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1, et seq.

6.1.5. TEMPORARY USES. A temporary use may be allowed upon issuance of a permit by the Cook County Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

B. ~~Temporary sales offices, and model dwelling units. Both incidental and necessary for the sale or rental of real property in the development in which the office is located.~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be ~~valid~~ issued in six (6) month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner. ~~and shall not be renewed for more than three successive periods.~~

E. Portable storage containers. Portable storage containers as regulated by Article 8.

6.2. - I-2 GENERAL INDUSTRIAL DISTRICT

6.2.4. SPECIAL USES. A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-2 District:

A. Industrial.

6. Medical cannabis cultivation center, as regulated by 410 ILCS 130/1, et seq.

I. Miscellaneous.

7. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1, et seq.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 8, General Provisions, Section 8.6, 8.7, and 8.10 of the Cook County Code shall be amended as follows:

8.6. - STRUCTURE HEIGHT

8.6.1 DISTRICT HEIGHT REGULATIONS. ~~The height of any structure shall not exceed 125 percent of the height of the tallest existing structure located within a one-quarter mile radius of the property lines of the subject site. Structures located in R-7, R-8, C-2, C-4, C-7 or C-8 zoning districts shall not be used in the calculation of tallest existing structure. Property zoned R-7, R-8, C-2, C-4, C-7 or C-8 is exempted from this provision. This provision shall not apply if no structure exists within a one-quarter mile radius. Except as otherwise provided by Cook County ordinance, the following height regulations shall apply:~~

- A. R-1 to R-5 Residential District. Structures located in the R-1, R-2, R-3, R-4 and R-5 zoning districts shall conform to the following height restrictions:
 - 1. Detached single-family residential dwelling units shall not exceed 2 ½ stories and a height of 35 feet.
 - 2. Nonresidential structures shall not exceed a height of 40 feet.
 - 3. Accessory structures shall not exceed a height of 15 feet or exceed the height of the principal structure, whichever is less.
- B. R-5A to R-8 Residential District. Structures located in the R-5A, R-6, R-7, and R-8 zoning districts shall conform to the following height restrictions:
 - 1. Detached Single-family residential dwelling units shall not exceed 2 ½ stories and a height of 35 feet.
 - 2. Townhomes shall not exceed 2 ½ stories and a height of 35 feet.
 - 3. Multifamily residential dwelling units shall not exceed a height of 45 feet.
 - 4. Nonresidential structures shall not exceed 3 stories and a height of 45 feet.
 - 5. Accessory structures shall not exceed a height of 15 feet.
- C. C-1 and C-2 Commercial Districts. Structures located in the C-1 and C-2 zoning districts shall conform to the following height restrictions:
 - 1. Nonresidential structures shall not exceed 3 stories and a height of 45 feet.
 - 2. Accessory structures shall not exceed a height of 20 feet.
- D. C-3 to C-6 Commercial Districts. Building and structures located in the C-3, C-4, C-5, and C-6 zoning districts shall conform to the following height restrictions:
 - 1. Nonresidential structures shall not exceed 5 stories and a height of 60 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of structure height greater than 45 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.
 - 2. Accessory structures shall not exceed a height of 20 feet.
- E. C-6 to C-7 Commercial Districts. Structures located in the C-6, C-7, and C-8 zoning districts shall conform to the following height restrictions:
 - 1. Nonresidential structures shall not exceed a height of 100 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of

structure height greater than 60 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.

2. Accessory structures shall not exceed a height of 20 feet.

F. I-1 to I-4 Industrial Districts. Structures located in the I-1, I-2, I-3, and I-4 zoning districts shall conform to the following height restrictions:

1. Nonresidential structures shall not exceed a height of 75 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of structure height greater than 50 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.

2. Accessory structures shall not exceed a height of 20 feet.

G. Planned Unit Developments. The structures in a planned unit development may exceed the height limits established for the district in which the structures are located in accordance with an approved planned unit development.

H. Miscellaneous.

1. Plans to construct a structure exceeding 160 feet in height shall be forwarded to the Federal Aviation Administration for review and comment.

8.6.3. BUILDING APPURTENANCES. ~~A chimney, parapet wall, skylight, steeple, flag pole, smokestack, cooling tower, elevator bulkhead, fire tower, monument, water tower, stack, stage tower or scenery loft, tank, ornamental tower or spire, roof garden, recreational facility, mechanical appurtenance or penthouse containing a mechanical appurtenance may exceed the height limits in this ordinance and shall not be included in building height. Appurtenances shall not extend more than 15 feet above the height of the principal structure, except that towers or steeples of a religious institutional use may be constructed to a height of no more than 75 feet when measured from grade.~~

8.6.4. PLANNED UNIT DEVELOPMENTS. ~~The structures in a planned unit development may exceed the height limits established for the district in which the structures are located in accordance with an approved planned unit development.~~

8.6.5.8.6.4. AIRPORTS.

~~A. Structures subject to notice under Federal Aviation Regulations shall not be constructed until it is determined by the Federal Aviation Administration that a structure will not be a hazard to aerial navigation. Applications for zoning amendments, special uses, unique uses, variances or planned unit developments which involve property located within two miles of an airport shall be forwarded by the Department of Building and Zoning to the Federal Aviation Administration for review and comment. In addition, plans to construct a structure exceeding 160 feet in height, regardless of location, shall be forwarded to the Federal Aviation Administration for review and comment.~~

~~B. Data relating to an applicant's request to construct a structure within two miles of an airport shall be made available to the Federal Aviation Administration by the Department of Building and Zoning or Bureau of Economic Development.~~

8.7. - REGULATIONS FOR SPECIFIC USES

8.7.1. FENCES, WALLS, HEDGES AND SHRUBBERY.

E. Fence(s) shall not be erected using barbed wire, razor wire, iron spike or other sharp-pointed materials provided, however, this section shall not prohibit the use of such materials when used entirely on private property and when:

1. Located in a commercial or industrial zoning district, or used for governmental/quasi-governmental use, or used to secure hazardous equipment or installations, such as but not limited to, high voltage equipment, electrical transformers, cellular towers, etc., subject to the approval of the Building Commissioner;
2. Securely attached along the top of a soundly constructed fence or structural barrier starting at a height of not less than six (6) feet, extending no more than two (2) feet and angled inward as to not extend beyond the property line; and
3. Setback not less than three (3) feet from the side and rear lot lines when abutting a residential zoning lot, provided that landscaping shall be used within the required three (3) foot setback and shall include a minimum of a three (3) foot high barrier using shrubbery or trees distributed across the entire perimeter of the fence or structure, excluding driveways.

8.7.2. MOBILE HOMES OR TRAILER. The following regulations shall apply to mobile homes or trailer:

- ~~C. Construction trailers. Construction trailers for use during construction of a residence, but not to be used as a dwelling and not to exceed one year.~~
- ~~D. Temporary storage. Mobile homes or trailers may be parked temporarily in a driveway or parking area of a residential use for a period not to exceed three days.~~
- ~~E. Temporary residence. Mobile homes trailer may be used as a temporary residence during construction of a residence located on the same zoning lot for a period not to exceed one year.~~

8.7.7. PETS ANIMALS. ~~Animals that are customarily kept for personal use or enjoyment. Pets are limited to a total of three adult animals and shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds and rodents. For purposes of this ordinance, an animal shall be considered an adult when it reaches six months of age. In addition to the regulations below, the keeping of animals is subject to all applicable provisions of the Cook County Code of Ordinances, including but not limited to those contained within Chapter 10, Animals, and Chapter 38, Health and Human Services. For purposes of this ordinance, an animal shall be considered an adult when it reaches four (4) months of age. This provision shall not apply to veterinary clinics, animal hospitals or kennels.~~

- A. Pets. Pets may be kept on any lot of residential use, provided that when kept outdoors, pets shall be housed in an adequate enclosure suitable for the confinement of such animals; all animal enclosures shall comply with the setback requirement of the zoning district.
- B. Livestock. No more than one (1) adult animal may be kept per one (1) acres of land; the keeping of livestock shall be limited to a minimum lot area of five (5) acres; livestock shall be kept in an adequate enclosure suitable for the confinement of such animals; all animal enclosures shall comply with the setback requirement of the zoning district.

- C. Horses. No more than one (1) horse may be kept per one (1) acre of land; the keeping of horses shall be limited to a minimum lot area of three (3) acres; horses shall be kept in an adequate enclosure suitable for the confinement of such animals; all animal enclosures shall comply with the setback requirement of the zoning district. This section does not apply to "miniature horses," which are subject to regulation as "pets" above.
- D. Fowl. No more than twelve (12) fowls shall be kept per one (1) acre of land; fowls shall be kept in an adequate enclosure suitable for the confinement of such animals; all animal enclosures shall comply with the setback requirement of the zoning district.
- E. Beekeeping. Bee colonies may be kept on residential and commercial zoning lots, provided they comply with the following regulations:
 - 1. Colonies must be registered with the Illinois Department of Agriculture.
 - 2. No more than four (4) colonies may be kept on any zoning lot.
 - 3. An adequate water source shall be provided between March and November.
 - 4. Apiaries shall be located in the rear of a zoning lot.
 - 5. Apiaries shall be setback no less than ten (10) feet from an abutting lot line.
 - 6. Apiaries shall be elevated a minimum of one (1) foot above grade.
 - 7. Apiaries shall be enclosed by a barrier with a minimum of six feet in height.
- F. Exemptions. This section shall not apply to veterinary clinics, animal hospitals, kennels, or animal shelters.

8.7.8. PORTABLE STORAGE CONTAINERS. The purpose of this section is to provide standards to ensure that portable storage containers, as defined herein, are used for the short-term, temporary storage and transport of personal property; are not used as an accessory building; and do not impede vehicle access, traffic flow, pedestrian or bicycle traffic or circulation or create public safety hazards.

- A. Portable storage containers may be located on privately owned property, provided the portable storage container shall be placed only on a paved or gravel surface in a driveway or parking space. At no time will the placement of any portable storage container be permitted on a public way.
- B. No portable storage container shall have storage capacity greater than 900 cubic feet. The Building Commissioner may make exceptions to storage capacity requirements when deemed necessary.
- C. A portable storage container shall have no signage except for the name, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the portable storage container at the location and the signage must be permanently adhered to, or painted on, the portable storage container.
- D. The exterior of the portable storage container shall be constructed of weatherproof material and, at all times while the portable storage container is located at the site, be maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks. When not in immediate use all portable storage containers shall be locked. It is the responsibility of the owner and renter to provide for the maintenance of the portable storage container.
- E. No portable storage container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, goods or property other than that of the property where the portable storage container is located or any other illegal or hazardous material. Upon reasonable notice to the renter and upon reasonable cause to believe the portable storage container is being used in violation of the provisions of this section, the Building Commissioner, or his designee, may inspect the contents of any portable storage container at any reasonable time.

- F. A portable storage container may remain at the location for a period not to exceed thirty (30) consecutive days, unless otherwise authorized by the Building Commissioner, upon a showing of good cause.
- G. A portable storage container may be removed at the direction of the Building Commissioner or his designee, by the company that owns or provides that portable storage container or any other authoritative body.
- H. The use of a portable storage container shall not require a permit.

8.7.9. MEDICAL CANNABIS DISPENSING ORGANIZATION. The operation of Medical Cannabis Dispensing Organizations shall comply with all regulations provided in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et. seq.*), as enacted by the State of Illinois, effective January 1, 2014, as may be amended from time to time and subject to any conditions or restrictions imposed by the Cook County Board of Commissioners.

8.7.10. MEDICAL CANNABIS CULTIVATION CENTERS. The operation of Medical Cannabis Cultivation Centers shall comply with all regulations provided in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et. seq.*), as enacted by the State of Illinois, effective January 1, 2014, as may be amended from time to time and subject to any conditions or restrictions imposed by the Cook County Board of Commissioners.

8.10. – ENVIRONMENTALLY SENSITIVE AREAS

8.10.1. ENVIRONMENTALLY SENSITIVE. An Environmental Mitigation Plan is required for any development proposed on residential zoning lots of less than 20,000 sq. ft. which contains environmentally sensitive areas, floodways, floodplain or wetlands as depicted in official maps adopted by Cook County and FEMA Flood Insurance Rate Map (FIRM).

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 9, Planned Unit Development, Sections 9.3 of the Cook County Code shall be amended as follows:

9.3. - GENERAL REQUIREMENTS

9.3.6. REQUIRED PUDS. The PUD regulations contained in this article shall be applicable to any proposed development, in excess of 20 acres in size, ~~and~~ to any proposed development which contains environmentally sensitive areas, ~~floodplain~~ or wetlands as depicted on the official maps adopted by Cook County, and to any proposed development located within a floodplain as depicted in a FEMA Flood Insurance Rate Map (FIRM). This provision shall not apply to residential zoning lots with a lot area of 20,000 sq. ft. or less, except where water and sewage is provided by well and septic.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 12, Signs, Section 12.4 of the Cook County Code shall be amended as follows:

12.4. – DYNAMIC IMAGE DISPLAY SIGNS

Dynamic image display signs shall comply with the following regulations:

12.4.1. LUMINANCE. The following brightness limits shall apply:

- A. 5,000 nits between sunrise and sunset; and
- B. 250 nits between sunset and sunrise.
- C. No sign shall be illuminated between the hours of 11 pm and 5 am, provided that an entity may keep its on-premise sign illuminated to no greater than 250 nits between the hours of 11 pm and 5 am, when the entity is open for business. For purposes of this subsection, “open for business” means an entity that is conducting its normal business or occupation and admits clients, customers or patrons during such time. This subsection shall not apply to any sign that is part of an emergency response network while such sign is displaying emergency information from any federal, state, or unit of local government.

12.4.2. DWELL TIME. The text, image or display on the face of the sign shall not change more than once every 10 seconds. Twirl time shall not exceed 0.25 seconds.

12.4.3. MOTION.

- A. All motion is prohibited on the sign;
- B. During the message transition, the sign shall not display any visible effects, including but not limited to action, motion fading, dissolving, blinking, or the illusion of such effects; and
- C. No message shall transition from one face to another face.

12.4.4. CONTROL/TESTING.

- A. All signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's luminance in compliance with this section. In instances where the sign malfunctions, the sign shall either automatically shut off or turn to a black screen.
- B. Prior to the issuance of any permit for a sign, the applicant shall submit an affidavit attesting that the sign has been tested and complies with the dwell time, luminance, motion and other requirements of this section, and that the luminance intensity, motion, and dwell time requirements are protected from manipulation by password-protected software or other method satisfactory to the Building Commissioner.
- C. The test of the luminance levels required by this section shall be made when the sign is set to full white.
- D. An affidavit shall be submitted at the time of the annual renewal attesting that the sign has been tested, within thirty days of the renewal, and complies with all the requirements of this section.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 13, Administration and Enforcement, Sections 13.2, 13.3, 13.5 13.6, 13.7, 13.8, 13.10 and 13.13 of the Cook County Code shall be amended as follows:

13.2. - DEPARTMENT OF BUILDING AND ZONING AND THE ZONING ADMINISTRATOR.

13.2.1. DUTIES OF THE DEPARTMENT OF BUILDING AND ZONING.

- A. Duties. In general, the duties or function of the Department of Building and Zoning shall be as follows:

1. ~~To inspect~~ buildings, structures and land uses to determine compliance with ~~provisions of this ordinance.~~
2. ~~To issue~~ and maintain records of sign permits.
3. ~~To issue~~ and maintain records of certificates of occupancy.
4. ~~To authorize~~ illumination of parking lots between the hours of 10:00 p.m. and 7:00 a.m. in residential districts when necessary for public safety and welfare.
5. ~~To issue~~ permits regulating erection and use of tents for specific purposes, such as temporary carnivals, charity or eleemosynary uses, and churches and revival meetings not to exceed ten days; ~~and,~~
6. Duties as the Cook County Board of Commissioners shall by ordinance resolution or direction provide.

B. Inspections.

1. Inspections will take place during regular County business hours, Monday through Friday, excluding County holidays, provided that there is no emergency that poses an immediate, direct, and serious threat to health, safety, or the environment.
2. If consent is denied or withheld, the Department shall have the authority to seek an Order of Inspection from a tribunal with jurisdiction to enter such an Order.

C. Badge of Office. The Department shall adopt a badge of office which shall be displayed by representatives of the Department for the purpose of identification while conducting County business.

D. Assistance from other officers. The Department is authorized to request assistance from health, police, legal, and other officers, and to request the State's Attorney to make application on behalf of the county to any court of competent jurisdiction for such order as the court may deem necessary or appropriate, to secure compliance with any provision of this chapter.

13.3. - ZONING BOARD OF APPEALS

13.3.2. JURISDICTION. The Zoning Board of Appeals is vested with the following jurisdiction and authority:

- B. Hear and make decisions or recommendations ~~to the Cook County Board of Commissioners~~ on applications for authorized variances ~~on variances from any quantitative requirement of this ordinance, and all applications~~ referred by the Department of Building and Zoning or the Cook County Board of Commissioners.

13.3.3. MEETINGS AND RULES. The meetings of the Zoning Board of Appeals shall be held at the call of the Chairman at such times as the Zoning Board of Appeals may determine. Hearings conducted by the Zoning Board of Appeals shall be considered public meetings under the Illinois Open Meetings Act and shall be held in conformance with the Illinois Open Meetings Act. Ex-officio members, or their designees, may fully participate in meetings, but shall not vote on any matters before the Zoning Board of Appeals. For purposes of conducting a public meeting, a

quorum of five members shall be present in person at the meeting, and two of the five members present may be ex-officio members or their designees. For purposes of conducting a vote at a public meeting, four voting members must be present in person at the meeting and the affirmative vote of four voting members is necessary to adopt any motion for approval. Any person may appear and testify at a hearing. The Chairman or Acting Chairman may administer oaths and subpoena witnesses. The Zoning Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question. If any voting member is absent or fails to vote, that shall be reflected in the minutes. Zoning Board of Appeals voting members may not vote by proxy. Records shall be kept of all hearings and other official actions of the Zoning Board of Appeals. Applications, exhibits and all documents filed by applicants, as well as transcripts of hearings if provided, meetings, testimony and deliberations, shall constitute the record of the Zoning Board of Appeals. The Secretary of the Zoning Board of Appeals shall be the keeper of the records. The Zoning Board of Appeals shall adopt its own rules and procedures, not in conflict with this ordinance or with applicable State of Illinois Statutes, and may select or appoint such officers as it deems necessary. A copy of every rule, regulation, amendment, order, requirement, decision or determination of the Zoning Board of Appeals shall be filed immediately with the Department of Building and Zoning and shall be a public record.

- 13.3.4. DECISIONS.** ~~The decisions and findings of the Zoning Board of Appeals, except as provided in 13.3.5, shall be final administrative decisions and shall be subject to review as provided by law.~~
RESERVED

13.3.6. SECRETARY OF THE ZONING BOARD OF APPEALS

B. Duties of the Secretary of the Zoning Board of Appeals shall be as follows:

4. Coordinate and facilitate the public hearings of the Zoning Board of Appeals.

13.5. - CERTIFICATES OF OCCUPANCY.

- 13.5.2. PROCEDURE.** A certificate of occupancy for a building, addition or alteration shall not be issued until construction has been completed, the premises inspected and the Department of Building and Zoning has certified that the use conforms with applicable Cook County ordinances. Pending the issuance of a certificate of occupancy, a temporary certificate may be issued. ~~A temporary certificate of occupancy shall not exceed six months.~~ The Department of Building and Zoning shall issue either a certificate of occupancy or provide written notice to the applicant, not later than 14 days after the final inspection, setting forth why a certificate of occupancy cannot be issued.

13.6. - VARIANCES

13.6.1 PURPOSE. ~~In order to provide a streamlined approval process for minor modifications of selected zoning standards, the Zoning Administrator is hereby given the authority to review and approve applications for variances of ten percent or less of the regulations as to location of structures or as to bulk requirements without referral to the Zoning Board of Appeals and without a public hearing in accordance with this ordinance. The Zoning Board of Appeals, after a public hearing, shall recommend to the Cook County Board of Commissioners to grant or deny all other authorized variances under this ordinance. In making a recommendation to grant a variance, the Zoning Board of Appeals shall make findings of fact in accordance with standards prescribed in this ordinance for variances, and shall also find that there are practical difficulties or particular hardships which prevent the applicant from strictly following regulations of this ordinance. The purpose of a variance is to provide relief from unreasonable difficulties or unnecessary hardships resulting from strict application of zoning ordinance requirements.~~

13.6.2. APPLICATION, HEARING, AND NOTICE OF HEARING.

C. Notice of Hearing. Notice of the time and place of a public hearing for all variance applications, except those which the Zoning Administrator intends to grant pursuant to Section 13.6.9 of this article, shall be published by the Zoning Board of Appeals once, not less than 15 days nor more than 30 days, before the hearing in a newspaper of general circulation in Cook County. The published notice may be supplemented by additional notice as required by the rules of the Zoning Board of Appeals. In addition, written notice of public hearings, including the reference number assigned by the Zoning Board of Appeals, and the place, date, and time of the hearing shall be given not less than seven days or more than 45 days before the hearing, by the Zoning Board of Appeals to the clerk of each municipality within 1½ miles of the subject property, and ~~to all persons whose names are listed in the sworn affidavit filed by the applicant with his or her variance application. to the property owners within 150 feet of the lot lines of the subject property, whose names appear on the Cook County tax records.~~ Notice need only be sent to the condominium association of condominium developments that are located within 150 feet from the subject property. The Zoning Board of Appeals shall maintain a record of the method of service.

13.6.3. STANDARDS. ~~The Zoning Board of Appeals shall not recommend to the Board of Commissioners that it grant or deny a variance~~ A variance shall not be granted or denied, unless the Zoning Board of Appeals first makes written findings of fact on each of the following standards based upon evidence presented:

13.6.4. CONDITIONS AND RESTRICTIONS. ~~The Zoning Board of Appeals may recommend to the Board of Commissioners such e~~Conditions and restrictions may be imposed upon the premises benefited by a variance as may be necessary to reduce or minimize the effect of the variance upon other properties in the neighborhood and to better carry out the general intent of this ordinance. Failure of the applicant to comply with conditions and restrictions imposed shall constitute a violation of this ordinance.

13.6.5. AUTHORIZED VARIANCES. A variance from the regulations of this ordinance may be granted ~~by the Cook County Board of Commissioners~~ only in the following instances and in accordance with standards set forth in this ordinance:

- A. Permit a yard or setback less than the yard or setback required by this ordinance.
- B. ~~Permit the use of a lot or lots for a use which is otherwise prohibited solely because of the insufficient area or width of the lot or lots. The Cook County Board of Commissioners shall not grant a variance which results in the division of a conforming lot or lots into any nonconforming lots. The Cook County Board of Commissioners shall not allow a lot less than 40,000 square feet to be used for an individual septic system and water supply system, unless the Cook County Department of Public Health has approved the systems. Permit a~~ reduction of the minimum lot area or lot width required by this ordinance; except that a lot of less than 40,000 square feet shall not be allowed where private water supply and sewage systems are used without approval of such systems by the Cook County Department of Public Health. No variance which results in the division of a conforming lot or lots into any nonconforming lots shall be permitted.

- ~~L. All other requests for variances shall be denied.~~
- L. Permit a reduction of the minimum distance required between a billboard and the forest preserve district lot line.
- M. Permit an increase of the maximum allowable impervious surface.
- N. Permit an increase of the maximum allowable height of a structure.
- O. All other requests for variances shall be denied.

13.6.6. ~~RECOMMENDING VARIANCES ACTION BY THE ZONING BOARD OF APPEALS.~~

~~A majority vote of three of the five voting members of the Zoning Board of Appeals is required to recommend to the Cook County Board of Commissioners to grant or deny a variance. No decision of the Cook County Board of Commissioners granting a variance shall be valid for more than one year, unless a building permit is obtained and construction of the building or the use commenced.~~

- A. The Zoning Board of Appeals' findings of fact and decision for variance shall be a final administrative decision, except as provided in Section 13.6.7(A).
- B. An affirmative vote of four voting members of the Zoning Board of Appeals is necessary to grant a variance.
- C. No decision by the Zoning Board of Appeals, approving a variance, shall be valid for more than one (1) year unless a building permit is obtained and construction of the building commenced.
- D. The Zoning Board of Appeals may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- E. Final decisions of the Zoning Board of Appeals shall be subject to review as provided by law.

13.6.7. ACTION BY THE COOK COUNTY BOARD OF COMMISSIONERS.

- A. Variances shall be forwarded to the Cook County Board of Commissioner for final decision whenever requested by either the Chairman of the Zoning and Building Committee or the Cook County Board Commissioner in whose district the property is located. Such request must be made in writing to the Secretary of the Zoning Board of Appeals no later than ten (10) days following the last scheduled public hearing.

- ~~A-B.~~ Final action shall not be taken by the Cook County Board of Commissioners on an application for a variance until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- ~~B-C.~~ Variances shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended approval of a proposed variance or where there has been a written protest filed against a proposed variance in accordance with Section 13.13 of this ordinance.
- ~~C-D.~~ The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- ~~D-E.~~ The Cook County Board of Commissioners may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- F. Final decisions of the Cook County Board of Commissioners shall be subject to review as provided by law.

- 13.6.8. EFFECT OF DENIAL.** An application for a variance which has been denied wholly or in part ~~by the Cook County Board of Commissioners~~ shall not be resubmitted for a period of one year from the date of the denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Board of Appeals.

13.7. - MAP AMENDMENTS

- 13.7.6. PROCESSING APPLICATIONS.** Upon receipt of a complete application for map amendment, and at least 15 days before a scheduled hearing date, the Department of Building and Zoning shall forward a copy of the application, including the applicant's proposed findings of fact and all supporting documentation, to the Cook County Commissioner in whose district the property is located, and shall notify the Cook County Department of Planning and Development, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Department of Public Health, and the Cook County Department of Environmental Control that a complete application, including the applicant's proposed findings of fact and all supporting documentation has been submitted and is ready for review. ~~Each reviewing department shall submit recommendations and comments at least seven days before the scheduled hearing date. Any recommendations and/or comment submitted by reviewing departments shall be submitted at least seven (7) days before the initial scheduled hearing date.~~

13.8. – SPECIAL USE

- 13.8.6. PROCESSING APPLICATIONS** Upon receipt of a complete application for map amendment, and at least 15 days before a scheduled hearing date, the Department of Building and Zoning shall forward a copy of the application, including the applicant's proposed findings of fact and all supporting documentation, to the Cook County Commissioner in whose district the property is located, and shall notify the Cook County Department of Planning and Development, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Department of Public Health, and the Cook County Department of

Environmental Control that a complete application, including the applicant's proposed findings of fact and all supporting documentation has been submitted and is ready for review. ~~Each reviewing department shall submit recommendations and comments at least seven days before the scheduled hearing date.~~ Any recommendations and comments submitted by reviewing departments shall be submitted at least seven (7) days before the initial scheduled hearing date.

13.8.14. REVOCATION A special use which has been approved but not established on a zoning lot within one year or as otherwise provided by the special use permit shall be null and void. A special use is established on the date of issuance of a building permit or certificate of occupancy, whichever is earliest. The Zoning Board of Appeals shall not have authority to extend the time limitation contained in a special use permit. If a special use is revoked by operation of this provision, and if the special use was granted in conjunction with a map amendment, the map amendment shall be revoked concurrently with revocation of the special use. Upon revocation, zoning of the subject property shall revert to the prior zoning classification unless otherwise authorized by the Cook County Board of Commissioners.

13.10. - PENALTIES.

A person, firm or corporation, or their agents, employees or contractors, who violate, disobey or refuse to comply with, or resist enforcement of any provision of this ordinance shall be subject to a fine of not ~~more than \$200.00~~ less than \$100.00 and not more than \$1,000.00 for each offense. Each day a violation continues to exist shall constitute a separate offense and a separate fine.

13.13. – PROTESTS BY MUNICIPALITIES OR PROPERTY OWNERS

The following persons and entities may file written protests pertaining to map amendments, special uses (including planned unit developments and unique uses), and variations and shall have the right to present their comments at a public hearing:

- A. ~~Any owner(s) of 20 percent~~ of any property immediately adjoining the subject property.
- B. ~~Any owner(s) of 20 percent~~ of any property whose land has frontage across an alley or street from the subject property.

13.13.1 RULES FOR WRITTEN PROTEST.

- A. Protesting parties must file a written protest with the Secretary of the Zoning Board of Appeals and serve a copy of such protest to the applicant or the applicant's attorney of record by certified mail not earlier than seven days and not no later than 30 20 days after the last public hearing. If the ~~30th~~ 20th day falls on a weekend or a holiday observed by Cook County, the ~~30th~~ 20th day shall be considered the next weekday.
- B. Protesting parties shall indicate in their written protest that they have considered the application, the standards of approval, supporting documents and the evidence presented at the hearing.
- C. ~~Protesting parties must circulate their protest to the applicant or the applicant's attorney of record.~~

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 14, Rules and Definitions, Section 14.2 of the Cook County Code shall be amended as follows:

14.2. - DEFINITIONS

14.2.1 The following words and terms shall have the meaning[s] set forth {in this section}, except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition:

Animal Shelter. A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

Apiary. A place where bee colonies are kept.

Appurtenance. An appurtenance is any visible, functional, or ornamental objects that are accessories to and parts of a structure.

Environmental Mitigation Plan. A comprehensive report that describes the natural features and characteristics of a proposed development site, the changes that will occur as a result of the proposed development activities on the site, the anticipated environmental impacts and consequences of the proposed development, and the mitigation measures to be taken to minimize undesirable impacts to the environment.

Impervious surface. Any synthetic surface that does not readily absorb or retain water, including but not limited to areas covered by principle and accessory buildings, parking and driveway areas, roads, sidewalks, and any area of concrete asphalt including paved recreation areas. In the case of lumberyards, areas where lumber is stored also constitutes impervious surfaces.

Livestock. Animal customarily kept for the purpose of providing food, clothing, or work.

Lot, zoning. A "zoning lot" is a single tract of a land, under unified ownership or control, located within a single block, which is used or occupied for any principal use designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. A "zoning lot" ~~may or may not coincide with a lot of record.~~ shall consist of: (1) a single lot of record; or (2) a combination of abutting complete lots of record.

Luminance. The photometric measure of luminous intensity per unit area of light traveling in a given direction. Luminance is measured in candelas per square meters or "nits."

Medical Cannabis Cultivation Center. "Medical cannabis cultivation center," or "cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis

dispensing organizations with usable medical cannabis, as defined in 410 ILCS 130/10(e).

Medical Cannabis Dispensing Organization. "Medical cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, as defined in 410 ILCS 130/10(o).

Motion or Moving. The depiction of movement or change of position of text, images or graphics. Motion or moving shall include, but not be limited to, visual effects such as dissolving and fading text and images, travelling, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

Nits. A unit of measurement of brightness or luminance. One nit is equivalent to one candela per square meter.

Pets. Animals customarily kept for pleasure or enjoyment, rather than for utility. Pets have the following characteristics: a special and close relationship with humans; partial or total dependence on humans; and, bred to live inside a residence in close proximity with humans without requiring extraordinary restraint or causing unreasonable disruption. Feral Cats are not "pets."

Portable Storage Container. Portable storage container means any container designed for the outdoor storage of personal property which is typically rented to owners or occupants of property for their temporary use on the exterior of the property and which is delivered to the property and removed by vehicle.

Public way. A "public way" is any sidewalk, street, alley, highway or other public thoroughfare. A "public way" is any sidewalk, street, alley, highway, pedestrian way, pathway, channel, viaduct, subway, bridge, easement, right-of-way, or other way in which the public has a right of use.

Shed. Shed means an accessory structure, used for storage purposes only, that do not exceed 10 feet in height and 200 square feet in ground area.

Sign, dynamic image display. Any sign, or portion thereof, with characteristics that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

Sign, multiple message. A "multiple message sign" means a billboard or off-premises outdoor advertising sign that displays a series of message changes, regardless of the technology used. A multiple message sign provides for a fixed message of at least ten seconds in length with a transition time between message changes of three seconds or less. Multiple message signs contain a default design that will freeze the message in one position if a malfunction occurs.

Temporary buildings or yards. Temporary buildings or yard are structures used for construction materials and equipment, both incidental and necessary to construction in the zoning district.

Temporary Construction Trailer. Structures used to accommodate temporary offices during and in conjunction with a construction project, provided that such structures shall not be used as a dwelling and shall be removed upon the completion of the permitted work.

Temporary Sales Office. Structures used for the sale or rental of real property in the development in which the structure is located; such structures shall not be used as a dwelling.

~~Trailer. See definition set forth in Mobile Home Park Ordinance of Cook County [Chapter 110, Article II of the Code].~~

Twirl Time. The time it takes for the static text, images or graphics on a dynamic image display sign to change to different text, images or graphics.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Chapter 10 Animals, Article 1, Section 10-2 and Section 10-8 of the Cook County Code shall be amended as follows:

Sec. 10-2. - Definitions

Pet shall mean animals customarily kept for pleasure or enjoyment, rather than for utility. Pets have the following characteristics: a special and close relationship with humans; partial or total dependence on humans; and, bred to live inside a residence in close proximity with humans without requiring extraordinary restraint or causing unreasonable disruption. Feral Cats are not “pets.”

Sec. 10-8. – Animal care.

- (c) No person shall own, keep, harbor, or otherwise maintain within the County, any breeds of fowl that are or will be used in the pursuit of and staging of cockfighting on any premises, or that make excess noises so as to cause a nuisance.

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Chapter 38 Health and Human Services, Article 3, Section 38-52 and Section 38-54 of the Cook County Code shall be amended as follows:

Sec. 38-52. Definitions

Pets shall mean animals customarily kept for pleasure or enjoyment, rather than for utility. Pets have the following characteristics: a special and close relationship with humans; partial or total dependence on humans; and, bred to live inside a residence in close proximity with humans without requiring extraordinary restraint or causing unreasonable disruption. Feral Cats are not “pets.”

Sec. 38-54 –Declared nuisances.

- (17) To have more than three adult companion animals living at any one individual residential unit, unless permitted to do so pursuant to applicable law. The term companion animal shall include domestic dogs, domestic cats, and ferrets. For purposes of this article, an animal shall be considered an adult when it reaches four months of age.

- (44) To use a container for the outside storage of pet food that is not pest-proof.

EFFECTIVE DATE: This ordinance shall be in effect immediately upon adoption.

**PROPOSED AMENDMENT TO FILE 18-1356
(Zoning and Building Committee 7-25-2018)**

Sponsored by: TONI PRECKWINKLE, President, and PETER N. SILVESTRI, County Commissioner

BE IT ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 8 General Provisions, Section 8.7 of the Cook County Code shall be amended as follows:

- 8.7.7. PETS ANIMALS.** ~~Animals that are customarily kept for personal use or enjoyment. Pets are limited to a total of three adult animals and shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds and rodents. For purposes of this ordinance, an animal shall be considered an adult when it reaches six months of age. In addition to the regulations below, the keeping of animals is subject to all applicable provisions of the Cook County Code of Ordinances, including but not limited to those contained within Chapter 10, Animals, and Chapter 38, Health and Human Services. For purposes of this ordinance, an animal shall be considered an adult when it reaches four (4) months of age. This provision shall not apply to veterinary clinics, animal hospitals or kennels.~~
- A. Pets.** ~~Pets may be kept on any lot of residential use, provided that when kept outdoors, pets shall be housed in an adequate enclosure suitable for the confinement of such animals.~~
- B. Livestock.** ~~**The keeping of livestock shall be limited to a minimum lot area of ½ acre;** livestock shall be kept in an adequate enclosure suitable for the confinement of such animals.~~
- C. Horses.** ~~**The keeping of horses shall be limited to a minimum lot area of ½ acre;** horses shall be kept in an adequate enclosure suitable for the confinement of such animals. This section does not apply to “miniature horses,” which are subject to regulation as “pets” above.~~
- D. Fowl.** ~~No more than twelve (12) fowls shall be kept when located on zoning lots of less than 1 acre; fowls shall be kept in an adequate enclosure suitable for the confinement of such animals.~~
- E. Beekeeping.** ~~Bee colonies may be kept on residential and commercial zoning lots, provided they comply with the following regulations:~~
- ~~1. Colonies must be registered with the Illinois Department of Agriculture.~~
- ~~**2. No more than four (4) colonies may be kept on any zoning lot.**~~
- ~~**3.2.** ~~An adequate water source shall be provided between March and November.~~~~
- ~~**4.3.** ~~Apiaries shall be located in the rear of a zoning lot.~~~~
- ~~**5.4.** ~~Apiaries shall be setback no less than ten (10) feet from an abutting lot line.~~~~
- ~~**6.5.** ~~Apiaries shall be elevated a minimum of one (1) foot above grade.~~~~
- ~~**7.6.** ~~When kept on zoning lots of less than ½ acre apiaries shall be enclosed by a barrier of a minimum of six feet in height.~~~~
- ~~**7.** ~~When located on zoning lots of less than ½ acre the keeping of bees shall be limited to a maximum of four (4) bee colonies.~~~~
- F. Animal enclosures.** ~~Enclosures must meet the following requirements:~~
- ~~1. Enclosures shall comply with the setback requirements of the zoning district in which it is located.~~
- ~~2. Enclosures shall be structurally sound and kept in a state of good repair.~~
- G. Exemptions.** ~~This section shall not apply to veterinary clinics, animal hospitals, kennels, zoos, or animal shelters.~~

BE IT FURTHER ORDAINED, by the Board of Commissioners of Cook County that Appendix A, Zoning, Article 13, Administration and Enforcement, Sections 13.3 and 13.6 of the Cook County Code shall be amended as follows:

13.3.3. MEETINGS AND RULES. The meetings of the Zoning Board of Appeals shall be held at the call of the Chairman at such times as the Zoning Board of Appeals may determine. Hearings conducted by the Zoning Board of Appeals shall be considered public meetings under the Illinois Open Meetings Act and shall be held in conformance with the Illinois Open Meetings Act. Ex-officio members, or their designees, may fully participate in meetings, but shall not vote on any matters before the Zoning Board of Appeals. For purposes of conducting a public meeting, a quorum of five members shall be present in person at the meeting, and two of the five members present may be ex-officio members or their designees. For purposes of conducting a vote at a public meeting, four voting members must be present in person at the meeting and the affirmative vote of ~~the majority of the four~~ voting members is necessary to adopt any motion **or decision** for approval. Any person may appear and testify at a hearing. The Chairman or Acting Chairman may administer oaths and subpoena witnesses. The Zoning Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question. If any voting member is absent or fails to vote, that shall be reflected in the minutes. Zoning Board of Appeals voting members may not vote by proxy. Records shall be kept of all hearings and other official actions of the Zoning Board of Appeals. Applications, exhibits and all documents filed by applicants, as well as transcripts of hearings if provided, meetings, testimony and deliberations, shall constitute the record of the Zoning Board of Appeals. The Secretary of the Zoning Board of Appeals shall be the keeper of the records. The Zoning Board of Appeals shall adopt its own rules and procedures, not in conflict with this ordinance or with applicable State of Illinois Statutes, and may select or appoint such officers as it deems necessary. A copy of every rule, regulation, amendment, order, requirement, decision or determination of the Zoning Board of Appeals shall be filed immediately with the Department of Building and Zoning and shall be a public record.

13.6.6. ~~RECOMMENDING VARIANCES ACTION BY THE ZONING BOARD OF APPEALS.~~
~~A majority vote of three of the five voting members of the Zoning Board of Appeals is required to recommend to the Cook County Board of Commissioners to grant or deny a variance. No decision of the Cook County Board of Commissioners granting a variance shall be valid for more than one year, unless a building permit is obtained and construction of the building or the use commenced.~~
A. The Zoning Board of Appeals' findings of fact and ~~decision recommendation~~ for a variance shall ~~become~~ a final administrative decision **ten (10) days following the last scheduled public hearing**, except as provided ~~in~~ **by** Section 13.6.7(A).
~~B. An affirmative vote of four voting members of the Zoning Board of Appeals is necessary to grant a variance.~~
B.C. No decision by the Zoning Board of Appeals, approving a variance, shall be valid for more than one (1) year unless a building permit is obtained and construction of the building commenced.
C.D. The Zoning Board of Appeals may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
D.E. Final decisions of the Zoning Board of Appeals shall be subject to review as provided by law.

13.6.7. ACTION BY THE COOK COUNTY BOARD OF COMMISSIONERS.

- A. Variances shall be forwarded to the Cook County Board of Commissioner for final decision whenever requested by either the Chairman of the Zoning and Building Committee, ~~or~~ the Cook County Board Commissioner in whose district the property is located or the applicant. Such request must be made in writing to the Secretary of the Zoning Board of Appeals no later than ten (10) days following the last scheduled public hearing.
- ~~A.B.~~ Final action shall not be taken by the Cook County Board of Commissioners on an application for a variance until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- ~~B.C.~~ Variances shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended approval of a proposed variance or where there has been a written protest filed against a proposed variance in accordance with Section 13.13 of this ordinance.
- ~~C.D.~~ The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- ~~D.E.~~ The Cook County Board of Commissioners may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- F. Final decisions of the Cook County Board of Commissioners shall be subject to review as provided by law.

EFFECTIVE DATE: This ordinance shall be in effect immediately upon adoption.

ADJOURNMENT

A motion was made by Vice Chairman Sims, seconded by Commissioner Deer to adjourn the meeting. The motion carried by the following vote:

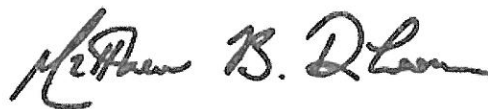
Ayes: Silvestri, Sims, Boykin, Butler, Daley, Deer, Fritchey, Gainer, García, Goslin, Moody, Moore, Morrison, Schneider, Suffredin and Tobolski (16)

Absent: Arroyo (1)

Respectfully submitted,



Chairman



Secretary

A video recording of this meeting is available at <https://cook-county.legistar.com>.